

PATENT COOPERATION TREATY
PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference <u>APVPB60212</u>	FOR FURTHER ACTION <small>see Form PCT/ISA/220 as well as, where applicable, item 5 below.</small>	
International application No. <u>PCT/EP2004/004126</u>	International filing date (day/month/year) <u>16/04/2004</u>	(Earliest) Priority Date (day/month/year) <u>17/04/2003</u>
Applicant <u>GLAXO GROUP LIMITED</u>		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 6 sheets.

It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

The international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, see Box No. I.

2. **Certain claims were found unsearchable** (See Box II).

3. **Unity of invention is lacking** (see Box III).

4. With regard to the **title**,

the text is approved as submitted by the applicant.

the text has been established by this Authority to read as follows:

COMBINATIONS COMPRISING PAROXETINE AND 2-(S)-(4-FLUORO-2-METHYL-PHENYL)-PIPERAZINE-1-CARBOXYLIC ACID '1-(R)-(3,5-BIS-TRIFLUORO-2-METHYL-PHENYL)-ETHYL!-METHYL AMIDE FOR TREATMENT OF DEPRESSION AND/OR ANXIETY

5. With regard to the **abstract**,

the text is approved as submitted by the applicant.

the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. With regards to the **drawings**,

a. the figure of the **drawings** to be published with the abstract is Figure No. _____

as suggested by the applicant.

as selected by this Authority, because the applicant failed to suggest a figure.

as selected by this Authority, because this figure better characterizes the invention.

b. none of the figures is to be published with the abstract.

INTERNATIONAL SEARCH REPORT

International Application No
PCT/EP2004/004126

A. CLASSIFICATION OF SUBJECT MATTER IPC 7 A61K31/496 A61P25/00 A61K31/445			
According to International Patent Classification (IPC) or to both national classification and IPC			
B. FIELDS SEARCHED Minimum documentation searched (classification system followed by classification symbols) IPC 7 A61K			
Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched			
Electronic data base consulted during the international search (name of data base and, where practical, search terms used) EPO-Internal			
C. DOCUMENTS CONSIDERED TO BE RELEVANT			
Category ^a	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.	
P, Y	US 2003/144270 A1 (WROBLESKI MICHELLE LACI ET AL) 31 July 2003 (2003-07-31) page 8, paragraphs 173,174	D 1.	1-21
Y	US 2002/123491 A1 (CHEN XIAO ET AL) 5 September 2002 (2002-09-05) page 3, paragraphs 36,37	D 2.	1-21
Y	US 2003/064980 A1 (CHEN XIAO ET AL) 3 April 2003 (2003-04-03) page 2, paragraph 35 page 1, paragraph 4 page 3, paragraphs 38,39	D 3.	1-21
Y	WO 02/10141 A (AHLIJANIAN MICHAEL KIRK ; SANNER MARK ALLEN (US); VILLALOBOS ANABELLA) 7 February 2002 (2002-02-07) page 42, lines 14,26	D 4.	1-21
-/-		-/-	
<input checked="" type="checkbox"/> Further documents are listed in the continuation of box C.		<input checked="" type="checkbox"/> Patent family members are listed in annex.	
<p>^a Special categories of cited documents :</p> <p>A* document defining the general state of the art which is not considered to be of particular relevance</p> <p>E* earlier document but published on or after the international filing date</p> <p>L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)</p> <p>O* document referring to an oral disclosure, use, exhibition or other means</p> <p>P* document published prior to the international filing date but later than the priority date claimed</p> <p>T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention</p> <p>X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone</p> <p>Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.</p> <p>&* document member of the same patent family</p>			
Date of the actual completion of the international search 19 July 2004		Date of mailing of the international search report 27/07/2004	
Name and mailing address of the ISA European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl. Fax: (+31-70) 340-3016		Authorized officer Heller, D	

INTERNATIONAL SEARCH REPORT

International Application No
PCT/EP2004/004126

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT		
Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	WO 01/44200 A (CHEN XIAO ; PALIWAL SUNIL (US); XIAO DONG (US); BLYTHIN DAVID J (US);) 21 June 2001 (2001-06-21) page 5, paragraph 8-21 -----	1-21
Y	WO 01/25219 A (GLAXO GROUP LTD ; GIOVANNINI RICCARDO (IT); ST DENIS YVES (IT); ALVARO) 12 April 2001 (2001-04-12) cited in the application page 9, lines 3,4 page 14, lines 8-10 page 14, lines 22-26 -----	1-21
Y	WO 03/015784 A (JACK TORQUIL IAIN MACLEAN ; GLAXO GROUP LTD (GB); TRANQUILLINI MARIA E) 27 February 2003 (2003-02-27) page 2, line 15- page 5, lines 30-36 page 8, lines 8-11 -----	1-21

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International application No.
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Box II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. Claims Nos.: **19**
because they relate to subject matter not required to be searched by this Authority, namely:
Rule 39.1(iv) PCT – Method for treatment of the human or animal body by therapy
2. Claims Nos.:
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
3. Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

The additional search fees were accompanied by the applicant's protest.
 No protest accompanied the payment of additional search fees.

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No.
PCT/EP2004/004126

Patent document cited in search report		Publication date		Patent family member(s)	Publication date
US 2003144270	A1	31-07-2003	WO	03042173 A1	22-05-2003
US 2002123491	A1	05-09-2002	US	2003064980 A1	03-04-2003
			AU	2097601 A	25-06-2001
			CA	2393672 A1	21-06-2001
			CN	1434805 T	06-08-2003
			EP	1237874 A2	11-09-2002
			HU	0301607 A2	29-12-2003
			JP	2003522739 T	29-07-2003
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			CZ	20030225 A3	18-02-2004
			EP	1305295 A1	02-05-2003
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			JP	2004505111 T	19-02-2004
			NO	20030472 A	27-03-2003
			SK	1042003 A3	04-05-2004
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			CN	1391564 T	15-01-2003
			CZ	20021166 A3	13-11-2002
			WO	0125219 A2	12-04-2001
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			JP	2003511377 T	25-03-2003
			NO	20021637 A	06-06-2002
			NZ	518144 A	30-04-2004

Form PCT/ISA/210 (patent family annex) (January 2004)

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No
PCT/EP2004/004126

Patent document cited in search report	Publication date	Patent family member(s)		Publication date
WO 0125219	A	TR	200200936 T2	22-07-2002
		US	2003028021 A1	06-02-2003
		US	2004048862 A1	11-03-2004
		ZA	200202589 A	03-07-2003
WO 03015784	A 27-02-2003	WO	03015784 A1	27-02-2003
		EP	1423117 A1	02-06-2004

Form PCT/ISA/210 (patent family annex) (January 2004)

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